Court No.3

Criminal Revision No. 684 of 2001.
(Old No. 1161/1985)

Rajendra Singh alias Guddu ……Revisionist.

Versus

State ……..Respondent

Hon'ble Irshad Hussain, J.

This criminal revision is directed against the judgment and order dated 21.5.1985 passed by the then Sessions Judge, Pauri Garhwal in criminal appeal No. 25/1985 U/S 25 of Indian Arms Act confirming the judgment and order passed by the Chief Judicial Magistrate on 15.4.1985 whereby the revisionist was convicted and sentenced to undergo 6 months R.I. and to pay a fine of Rs. 100-00.

Heard the learned counsel for the revisionist and the learned A.G.A.

The learned counsel for the revisionist did not assail the finding of the guilt of the revisionist but confined his argument to the quantum of sentence awarded against the revisionist. The learned counsel submitted that the incident relate to the year 1983 and the revisionist had already been under detention for a period of 3 months and 28 days and considering that he had no previous conviction to his credit and also his young age the ends of justice will be satisfied if the revisionist is sentenced to the period already undergone. Having considered these aspects of the matter the submission of the learned counsel cannot be said to be without substance and force and therefore it is a fit case in which reduction in the sentence may be made in the interest of justice.

In view of above the revision partly succeed and is disposed of accordingly. The conviction of the revisionist U/S 25 of Indian Arms Act is up-held. The sentence awarded is reduced to the period already undergone. The revisionist need not surrender. His bail bonds are cancelled and sureties discharged.

(Irshad Hussain, J.)

Dated: 23-8-2003

ISB